

July 16, 2018

VIA ELECTRONIC FILING

Neomi Rao
Administrator
Office of Information and Regulatory Affairs
725 17th Street NW
Washington, D.C. 20503

Re: Maritime Regulatory Reform Request for Information (RFI)

Dear Administrator Rao:

The National Marine Manufacturers Association (NMMA) appreciates the opportunity to provide comments as requested by the Office of Management and Budget on how existing federal agency requirements affecting the maritime sector can be modified or repealed to increase efficiency, reduce or eliminate unnecessary or unjustified regulatory burdens, or simplify regulatory compliance while continuing to meet statutory missions.

By way of background, NMMA is the leading national recreational marine trade association in North America, representing 1,500 boat, engine, accessory and trailer. NMMA members manufacture over 80 percent of recreational marine products used in the United States. Recreational boating is a significant driver of the US economy, employing 650,000 people across more than 34,800 boating businesses, while contributing \$39 billion in annual sales.

The NMMA is committed to boating safety and quality through its extensive certification program. The NMMA certification program helps manufacturers ensure their boats are built to the standards established by the American Boat & Yacht Council (ABYC) and promote their compliance to the public. ABYC is a non-profit organization created with the purpose of developing safety standards for the design, construction, equipment, repair and maintenance of boats. ABYC develops standards based on extensive consultation with a standards development technical board, comprised of industry stakeholders and technical experts. ABYC's voluntary, consensus-based standards have evolved into a vital supplement to the mandatory United States Coast Guard (USCG) regulations. Together, NMMA certification and ABYC safety standards aim to ensure U.S. manufactured boats meet United States Coast Guard (USCG) federal regulations and the most rigorous of safety standards.

As you begin to review potential reforms to maritime regulation, please consider the following comments on where the recreational marine manufacturing industry believes the federal government can modernize regulations impacting the industry and work as an ally, not an adversary.

The predominant regulation over our industry, 33 CFR 183, was the result of the Federal Boating Safety Act of 1971. This regulation did not provide any means to the USCG to deal with modernization and new technology such as accepting industry standards as equivalent to the regulations.

While industry safety standards have kept up with current practices and technologies, these standards have been limited by the current regulations in certain areas. A prime example of a limitation of the current regulations is the location of the gasoline fuel pump. 33 CFR Subpart J requires the gasoline fuel pump to be located within 12 inches of the engine. Higher horsepower engines require a more robust fuel delivery system. By moving the pump into the fuel tank that is typically further than 12 inches from the engine, a more robust fuel delivery system can be created. This practice is widely used in the automotive industry and could be safely done in the boating industry with current technology and manufacturing processes.

Under current regulations, for a manufacturer to pursue alternate compliance, the USCG must issue an exemption for each particular model of boat. This practice is time consuming and costly for manufacturers and the USCG. Only the recreational marine sector is subject to this model by model exemption process, whereas the commercial maritime industry does not face such an onerous burden.

Potential reforms would include permitting the USCG to issue equivalency to industry standards. This practice has been effectively utilized by the USCG on the regulation of commercial vessels and would allow a more streamlined and cost-effective process to address new technology and industry advancement while maintaining a high level of safety. Additionally, it would permit industry standards to address topics that are not in alignment with current federal requirements resulting in a reduction of the administrative burden on the USCG and regulatory burdens on the industry as standards are much easier to update and implement.

By allowing the USCG to issue equivalency to ABYC standards, the recreational marine industry will be able to pursue innovative technologies and modernization, while reducing regulatory burden and improving safety.

NMMA appreciates the opportunity to provide comments on maritime regulatory reform. If you should have any additional questions on these comments please do not hesitate to contact Nicole Vasilaros at nvasilaros@nmma.org or 202-737-9763.

Sincerely,

A handwritten signature in blue ink that reads "T. Nicole Vasilaros".

T. Nicole Vasilaros, Esq.
Senior Vice President, Government and Legal Affairs
National Marine Manufacturers Association